IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

CRP.No. 735 of 2007()

AGAINST THE ORDER DATED 31/07/2007 IN EA 158/2007 IN EP 24/2007 IN OS.125/2004 of MUNSIFF COURT, VADAKARA

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REVN. PETITIONER: RESPONDENT/DEFENDANT

KADATHANAD WEAVERS INDUSTRIAL
CO-OPERATIVE SOCIETY LTD., NADAKKUTHAZHA,
REPRESENTED BY SECRETARY, NADAKKUTHAZHA.

BY ADV. SRI.K.RAMESH

RESPONDENTS: PETITIONER/PLAINTIFF

T.AZEEZ, S/O.AHAMMADKUTTY,
49 YEARS, THONDIYIL VEEDU,
CHERUVANNUR AMSOM DESOM, BY POWER OFATTORNYEY
HOLDER WIFE VEETTIL NUZRATH FATHIMA,
VATAKARA.

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J.

C.R.P.No. 735 OF 2007 G

Dated this the 20th August, 2007.

O R D E R

This revision petition is preferred against the order of the Munsiff, Vatakara in I.A.125/04 in E.P.24/07 in O.S.125/04. The court had permitted police aid to the amin for sale of the movable properties situated in the building which is in occupation of the judgment debtor. The learned counsel made available before me the counter filed therein wherein it is stated that the movable right vests in the co-operative department as well. Learned counsel also submits that if some breathing time is given his client is prepared to pay the amount. Being a Weavers Industrial Co-operative Society, I feel some breathing time can be granted and therefore the court below is directed not to conduct the sale of the movables for a period of three months from today on the following conditions:

i) The revision petitioner shall pay an amount of Rs.20,000/- on or before 20.9.2007 and the balance amount in three monthly equal instalments commencing from 20.10.2007.

ii) If the revision petitioner commits default of making payment mentioned above even on one occasion then the benefit conferred on it shall stand automatically

cancelled and the court below is at liberty to proceed with the same as ordered by it with the aid of the police. C.R.P is disposed of accordingly.

M.N.KRISHNAN
Judge

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